

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER GH-24324 WO-115 <div style="font-size: 1.5em; font-weight: bold; margin-top: 5px;">10/588577</div>
INTERNATIONAL APPLICATION NO. PCT/AU2005/000141	INTERNATIONAL FILING DATE 3 February 2005	
TITLE OF INVENTION METHODS OF IDENTIFYING GENES WHICH PROMOTE HYBRID VIGOUR AND HYBRID DEBILITY AND USES THEREOF		
APPLICANT(S) FOR DO/EO/US KAY, Peter Hamilton		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. 3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input checked="" type="checkbox"/> The US has been elected (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input checked="" type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input checked="" type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). 		
Items 11 to 20 below concern document(s) or information included:		
<ol style="list-style-type: none"> 11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input checked="" type="checkbox"/> A preliminary amendment. 14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A power of attorney and/or change of address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825. 18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PCT/AU2005/000141ATTORNEY'S DOCKET NUMBER
GH-24324 WO-US

20. Other items or information: One copy of Cover page of International Application as published (WO 2005/075668 A1) with ISR and amended claims; one copy of Form PCT/IB/304; one copy of Form PCT/IB308(First Notice); one copy of Form PCT/IB/308(Second Notice); two copies of Forms PCT/IB/306.

The following fees have been submitted				CALCULATIONS	PTO USE ONLY
21.	<input checked="" type="checkbox"/>	Basic national fee (37 CFR 1.492(a)).....	\$300	\$ 300	
22.	<input checked="" type="checkbox"/>	Examination fee (37 CFR 1.492(c))		\$ 200	
If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....				\$0	
All other situations.....				\$200	
23.	<input checked="" type="checkbox"/>	Search fee (37 CFR 1.492(b))		\$ 400	
If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....				\$0	
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority.....				\$100	
International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB.....				\$400	
All other situations.....				\$500	
TOTAL OF 21, 22 and 23 =				900	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
83 - 100 =	0 / 50 =		x \$250	\$ 0	
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	29 - 20 =	9	x \$ 50	\$ 450	
Independent claims	5 - 3 =	2	x \$200	\$ 200	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360	\$ 0	
TOTAL OF ABOVE CALCULATIONS =				\$ 1750	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.				875	
SUBTOTAL =				\$ 875	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$	
TOTAL NATIONAL FEE =				\$ 875	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$ 0	
TOTAL FEES ENCLOSED =				\$ 875	
				Amount to be refunded:	\$
				Amount to be charged	\$

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- a. ☐ A check in the amount of \$ _____ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 503194 in the amount of \$ 875 to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 503194. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:


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SIGNATURE

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IAP11 Rec'd PCT/PTO 03 AUG 2006

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. National Phase Application of:
KAY, Peter Hamilton

**Title: Method Of Identifying Genes Which Promote Hybrid Vigour And Hybrid Debility And
Uses Thereof**


International application number:	PCT/AU2005/000141
International Filing Date:	3 February 2005
Priority application number:	AU 2004900471
Priority date:	3 February 2004

To:
Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
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Enclosed:

- Return receipt postcard
- Transmittal cover letter (1 page)
- Transmittal Sheet PTO-1390 (3 pages, 3rd page in duplicate)
- Preliminary Amendment (10 pages)
- Copy of pages as originally filed under Article 19 (2 pages)
- Copy of first page of published International Application WO 2005/075668 A1 (1 page)
- Copy of PCT/IB/304 (1 page)
- Copy of PCT/IB/308 (2 pages)
- Copy of PCT/IB/306 (2 pages)
- Declaration, unexecuted (2 pages)
- Information disclosure statement (2 pages)
- IDS References (Nos. 1, 2, 3, 4 & 5; 260 pages total)

Respectfully submitted,


Matthew Kaser, D.Phil.
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